

Message Text

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ACTION ACDA-10

INFO OCT-01 IO-13 ISO-00 FEA-01 INRE-00 NSCE-00 PM-04

SS-15 SSO-00 CIAE-00 INR-07 L-03 NSAE-00 NSC-05

EB-08 NRC-05 OES-06 DODE-00 /078 W

-----252146Z 114112 /75

O 252013Z APR 77

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC IMMEDIATE NIACT 8998

INFO USERDA HQ WASHDC IMMEDIATE

USERDA HQ GERMANTOWN IMMEDIATE

USMISSION GENEVA

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ACDA FOR DAVIES, GRAHAM; ERDA FOR DUFF/ISA, BRUSH/OGC;
GENEVA FOR BUCHHEIM

EO 11652: NA (DECONTROL 31 DECEMBER 1977)

TAGS: PARM, TECH, IAEA

SUBJECT: IAEA AD HOC ADVISORY GROUP ON NUCLEAR

EXPLOSIONS FOR PEACEFUL PURPOSES: WORKING PARTY MEETINGS APRIL 22-24

REF: A) STATE 90640; B) STATE 89436

BEGIN SUMMARY. US REPS SUBJECT GROUP REPORT DISCUSSIONS
WORKING PARTY MEETINGS APRIL 22, 23, 24 RESPOND TO DEPT
REQUESTS FOR INFORMATION AND REQUESTS GUIDANCE ASAP. END SUMMARY.

1. WITH EXCEPTION BRIEF PLENARY MEETING HELD APRIL 22 GROUP
CONDUCTED ALL DISCUSSIONS IN INFORMAL WORKING PARTY SESSIONS
APRIL 22-24. WORKING PARTY DEVOTED MOST OF ITS TIME TO RE-
WRITE OF DOC. 23/21 (TEXT REPORTED SEPTEL) ON PRESENTATION
OF LEGAL STRUCTURE ALTERNATIVES AND REWRITE OF DOC. 23/22,
CHAIRMAN'S DRAFT ENTITLED "FACTORS INVOLVED IN THE
ESTABLISHMENT AND OPERATION OF AN INTERNATIONAL SERVICE FOR NEPP".

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(TEXT BEING REPORTED SEPTEL). DISCUSSIONS CHARACTERIZED
BY LENGTHLY AND DISCURSIVE INTERVENTIONS OF FRG AND
MEXICAN DELS. FRG HAS STATED ITS VIEW THAT NO REPORT
SHOULD BE ISSUED WITHOUT LEGAL STRUCUTRE RECOMMENDATION
ANDMUST BE CONSIDERED TO BE AWARE GROUP DISINCLINED
TO ADOPT RECOMMENDATION (EGYPT NOW SUPPORTS U.S. VIEW THIS
POINT); MEXICO PRESUMABLY WOULD PREFER UNGA TO CONSIDER

MATTER LATER THIS YEAR IN ABSENCE FINAL GROUP REPORT
(MINISTER MARIN OF MEXICAN CCD DEL JOINED MEXICAN DEL AD
HOC GROUP FOR APRIL 20-21 MEETINGS).

3. AS INSTRUCTED PARA ONE (E) REFTEL A, US REPS MAINTAINED
POSITION RE COMPROMISE FORMULATION DURING APRIL 22 DISCU-
SIONS WITH USSR REP, WHO ASKED FOR OPPORTUNITY TO RECONSIDER
NOVEMBER LANGUAGE. HOWEVER, US REPS EXCEPT FURTHER ATTEMPTS
WILL BE MADE TO CHANGE COMPROMISE TEXT TO SOMEHOW INCORPORATE
WORD "DEVELOP". THE USSR MAY SEEK A FORMULATION ALONG THE
LINES: QUOTE THE INVOLVEMENT OF THE AGENCY IN HEALTH AND
SAFETY ASSESSMENTS WOULD BE FACILITATED BY THE DEVELOPMENT
AND ADOPTION OF INTERNATIONAL TECHNICAL RECOMMENDATIONS ON THE
SAFETY OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES. NO SUCH
RECOMMENDATIONS HAVE BEEN DEVELOPED TO DATE. END QUOTE.
INSTRUCTIONS AS TO ACCEPTABILITY OF THIS TYPE FORMULATION ARE
REQUESTED ASAP.

4. FINAL DRAFT TEXT DOC. 23/13 ANNEX ONE ADOPTED BY GROUP
IN PLENARY APRIL 22. TEXT IN ACCORD WITH LANGUAGE APPROVED
REFTEL A.

5. ALSO DURING APRIL 22 PLENARY GROUP ADOPTED FINAL
DRAFT TEXT OF DOC. 23/11 REV 2 WITH CHANGE PROPOSED BY
US IN ACCORDANCE WITH PARA 3 OF REFTEL B.

6. WITH REGARD TO PARA ONE (B) REFTEL A, US REPS
CONSIDER REMEDIES IMPLICIT IN THE NPT TO BE THOSE OF
MAKING COMPLAINT TO OTHER MEMBERS INDIVIDUALLY OR AT RE-
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VIEW CONFERENCE, AND, IN EXTREMIS, WITHDRAWAL FROM TREATY,
IN ADDITION TO IMPLICIT REMEDIES AVAILABLE AS MATTER OF
CUSTOMARY INTERNATIONAL LAW.

7. WITH REGARD TO PARA TWO (C) REFTEL A, IN VIEW US
REPS, LANGUAGE REPORTED SPETEL WOULD BE ALL INFO WHICH
COULD BE PROVIDED, CONSISTENT WITH BOTH INTERNATIONAL AND
DOMESTIC LAW (E.G., CONSISTENT WITH NPT AND ATOMIC ENERGY
ACT OF 1954, AS AMENDED).

8. WITH REGARD TO PARA TWO (D) REFTEL A, US REPS AGREE THAT
LANGUAGE DISCUSSED WOULD BE REDUNDANT BUT NOTE THAT USG
POLITICAL PURPOSES MAY BE BETTER SERVED BY ACCEPTING POINT
AS REPORTED. US REPS DO NOT SEE "POTENTIAL PROBLEM",
SUGGESTED REFTEL A, SINCE PARA THIRTEEN, ANNEX TWO, DOC.
23/13 NOW BEGINS WITH WORDS "SUBJECT TO THESE PRINCIPLES",
ONE OF WHICH (PARA FIVE, ANNEX TWO) STATES "IT IS THE DUTY
OF POTENTIAL SUPPLIER, RECIPIENT AND OTHER STATES INVOLVED
TO INSURE THAT ANY NEPP PROJECT IS CONSISTENT WITH THEIR

INTERNAIONAL LEGAL OBLIGATIONS". STONE

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Message Attributes

Automatic Decaptioning: X
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Copy: SINGLE
Sent Date: 25-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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